

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

ULTRACARE, INC., *et al.*,

Plaintiffs,

v.

TIMOTHY A. BERGERON, *et al.*,

Defendants.

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CIVIL ACTION 06-0077-WS-C

JUDGMENT

In accordance with the Order entered on this date, it is **ordered, adjudged and decreed** that this action be, and the same hereby is, **dismissed without prejudice** for lack of federal subject matter jurisdiction.

DONE and ORDERED this 29th day of September, 2006.

s/ WILLIAM H. STEELE
UNITED STATES DISTRICT JUDGE